

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SANTIGO SANDERS, on behalf of
Himself and others similarly
Situating,

Plaintiff,

v.

ANTHONY ALAIMO, ANTHONY
ALAIMO, INC; VALOR HOMES 521
LLC and VALOR PLUMBING LLC,

Defendants.

CIVIL ACTION FILE NO.

3:14-cv-163-TCB

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Anthony Alaimo ("Alaimo"), Anthony Alaimo, Inc. ("AAI"), Valor Homes 521 LLC ("VH") and Valor Plumbing LLC ("VP") (collectively, "Defendants"), by and through their undersigned counsel, hereby move for summary judgment on all claims and as to all remedies sought by Plaintiff against all Defendants in this action.

Defendants specifically move for judgment to be entered in their favor and against Plaintiff, Santiago Sanders, as follows:

1. That there is no overtime pay owed to plaintiff, Santiago Sanders, by defendants;
2. That there are no facts to support a collective action for unpaid overtime among Defendants' employees;
3. That Plaintiff has no employment relationship with Defendants Valor Homes 521, LLC, Valor Plumbing, LLC or Anthony Alaimo and, thus, they are not proper Defendants and are due to be dismissed from this action;
4. That there is no basis for an award of liquidated damages under the FLSA against Defendants; and
5. That there is no basis for an award of attorneys' fees to Plaintiff under the FLSA.

In support of this Motion, Defendants are submitting evidentiary materials consisting of the following Exhibits (identified by letter):

- A. Affidavit of Anthony Alaimo (pdf image from Original).
- B. [Santiago] Time Card Correction Summary.
- C. Acknowledgment of Payment Letter.
- D. Letter from Alesha Warren dated October 30, 2014.

Additionally, Defendants are filing in conjunction with this Motion their Statement of Material Facts as to which There Is No Genuine Issue to Be Tried,

and their Brief in support of their Motion.

Based on all of the foregoing materials, Defendants respectfully pray that their Motion for Summary Judgment be GRANTED, that all claims by Plaintiff against all Defendants be DISMISSED WITH PREJUDICE, and that they be afforded such other and further relief as the Court deems just and proper.

Respectfully submitted, this 29 day of May, 2015.

RICHELO LAW GROUP, LLC

By: /S/ Thomas Richelo
Thomas Richelo, Esq.
Ga. State Bar No. 604425
Attorneys for Defendants

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CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2015, I electronically filed the following pleading with the Clerk of Court using the CM/ECF system:

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

And further, as to the *pro se* plaintiff, who has not registered to receive service from the Court using the CM/ECF system, I certify that the foregoing is being served by certified mail, return receipt requested, with adequate postage affixed thereto to assure delivery to the following:

Santiago Sanders
2085 Freeman Road
Jonesboro, GA 30236

/s/ Thomas Richelo
Thomas Richelo
Ga. Bar No. 604425
trichelo@richelolaw.com